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FILED 10 MAY 21 8:15 USDC-ORH

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

MEDFORD DIVISION

PEGGY MINK,

Plaintiff,

v.

**MICHAEL ASTRUE,
Commissioner of Social Security,**

Defendant.

Civil No. 1:09-cv-582-CL

**ORDER AND JUDGMENT OF
REMAND**

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to

sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall remand this case to an Administrative Law Judge (ALJ) to hold a *de novo* hearing and Plaintiff may raise any issue. The ALJ will: (1) further evaluate the medical source opinions, including the opinions of Christopher Komanapelli, M.D.; Caleb Burns, Ph.D.; Alfredo J. Soto, M.D., Barry E. Egner, M.D.; and State Agency medical consultants; (2) reevaluate the lay witness testimony of David Nordine; (3) clarify which findings in the prior ALJ decision are adopted in accordance with *Chavez v. Bowen*, 844 F.2d 691 (9th Cir. 1988) and Acquiescence Ruling 97-4(9); (4) reevaluate Plaintiff's credibility; (5) reevaluate Plaintiff's residual functional capacity; (6) obtain supplemental vocational expert testimony; and (7) complete the sequential evaluation process.

Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

JUDGMENT is entered for Plaintiff, and this case is closed.

DATED this 20 day of May 2010.


US District Court Judge

Presented by:

s/ Lisa Goldoftas
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